

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
March 26, 2008

PRESENT: Mayor Reed, Councilmembers Chirco and Nguyen

ABSENT: Councilmembers Cortese and Constant

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, Redevelopment Agency Assistant Director Gary Miskimon, Agenda Manager Nadine Nader, Mayor Council Agenda Manager Alicia Bosco and Deputy City Clerk Michelle Radcliffe.

A. City Council

1. Review April 1, 2008 Final Agenda

None – Meeting canceled.

2. Review April 8, 2008 Draft Agenda

Document Filed: Memorandum from Mayor Reed dated March 20, 2008 requesting to agendize a report from the Chief of Police on homicides for the April 8, 2008 Council meeting.

Action: The Committee approved the following changes and additions to the April 8, 2008 Draft Agenda:

- Request for an excused absence for Councilmember Constant (Constant)
- Approval of travel by Councilmember Oliverio to Seattle, WA on May 28 – 30, 2008 to attend the GOVERNING Managing Technology 2008 Conference (Oliverio)
- Report from the Chief of Police on homicides in San José for 2007 and 2008 (Mayor)
- Item 7.1 (Santa Clara Valley Water District) not to be heard before 3:00 p.m.
- Item 3.8 (Elections Commission Interviews) not to be heard before 3:30 p.m.
- Housing Authority Agenda not to be heard before 3:30 p.m.

B. Redevelopment Agency

1. Review April 1, 2008 Final Agenda

None – Meeting Canceled.

2. Review April 8, 2008 Draft Agenda

Action: The Committee approved the April 8, 2008 Draft Agenda with no additional changes:

C. Legislative Update

1. State

None.

2. Federal

None.

D. Meeting Schedules

There were none.

E. The Public Record

Document Filed: Memorandum from Lee Price, City Clerk dated March 21, 2008 transmitting the Public Record for the week of March 15-20, 2008.

Action: The Committee noted and filed the Public Record.

F. Appointments to Boards, Commissions and Committees

There were none.

G. Rules Committee Reviews, Recommendations and Approvals

1. Proposed Ballot Measures

- a. Council Appointee Administrative Leave**
- b. Council Salary Setting Methods and Options**
- c. Recall Elections – Vacancies in the Office**
- d. Charter Section 600 – Ability to Abstain for Appearance of a Conflict**
- e. City Clerk – Power of Appointment**
- f. Charter Amendment for Redistricting**
- g. Duration of Leases on City Parks**
- h. Construction of a Fire Station on City Parkland**

Document Filed: Memorandum from City Attorney Rick Doyle dated March 20, 2008 regarding proposed ballot measures for the November 2008 ballot.

The City Attorney provided an overview of the proposed ballot measures for the November 2008 ballot. The City Clerk provided best estimates. Committee discussion ensued.

Action: The Committee directed staff to come back in two weeks with options and analysis of fiscal benefits of potential ballot measures.

2. Automatic External Defibrillators Ordinance Workload Assessment

Document Filed: Joint memorandum from Councilmembers Chu, Campos, Williams and Liccardo dated February 14, 2008 directing the City Manager and City Attorney to conduct a stakeholder outreach process to determine the feasibility of requiring the placement of automatic external defibrillators in hotels, motels, and senior apartment communities.

Action: The Committee accepted the workload assessment.

3. Response to Senior Citizens Commission Letter regarding Fingerprinting and Background Checks

Document Filed: Memorandum from Parks, Recreation and Neighborhood Services Director Albert Balagso dated March 17, 2008 responding to the Senior Citizens Commission letter regarding fingerprinting and background checks for certain City employees.

Action: The Committee approved the staff recommendation to continue requiring fingerprinting and background checks.

H. Review of additions to Council Committee Agendas

1. Community and Economic Development Committee

2. Neighborhood Services and Education Committee

There were none.

3. Transportation and Environment Committee

- **Add report on the TE Committee agenda for April 7, 2008 on progress, status and key issues review of the Santa Clara Valley Habitat Plan**

Document Filed: Memorandum from Planning, Building and Code Enforcement Director Joseph Horwedel dated March 14, 2008 requesting to add an item to the TE Committee agenda for April 7, 2008 on progress, status and key issues review of the Santa Clara Valley Habitat Plan

Action: The Committee approved the addition to the Transportation and Environment Committee Workplan.

4. Public Safety, Finance and Strategic Support Committee

There were none.

I. Open Government Initiatives

1. Reed Reforms

2. Sunshine Reform Task Force (SRTF)

3. Significant Public Records Act Requests

4. Council Policy Manual Update

There were none.

J. Open Forum

K. Adjournment

The meeting adjourned at 2:48 p.m.

Mayor Chuck Reed
Rules and Open Government Committee